



Magistrate Judge Theresa L. Fricke

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff

v.

SCOTTI J. ORTIZ,

Defendant.

CASE NO. 3:22-mj-05131

COMPLAINT for VIOLATION

Title 18, United States Code,
Sections 2252, 2252(a)(4)(B)

BEFORE, Theresa L. Fricke, United States Magistrate Judge, U. S. Courthouse,
Tacoma, Washington.

The undersigned complainant being duly sworn states:

COUNT 1

(Distribution of Child Pornography)

Between on or about August 19, 2020 and on or about February 9, 2021, in Thurston
County, within the Western District of Washington, and elsewhere, SCOTTI J. ORTIZ
knowingly distributed any visual depiction—the production of which involved the use of a
minor engaging in sexually explicit conduct and such visual depiction was of such conduct—
using any means and facility of interstate and foreign commerce, such visual depiction had

1 been mailed and shipped and transported in and affecting interstate and foreign commerce,
2 and such visual depiction contained materials that have been mailed and so shipped and
3 transported, by any means, including by computer.

4 All in violation of Title 18, United State Code, Section 2252(a)(2) and 2252(b)(1).

5 **COUNT 2**

6 **(Possession of Child Pornography)**

7 Beginning on a date unknown and continuing until on or about February 9, 2021,
8 in Thurston County, within the Western District of Washington, and elsewhere, SCOTTI
9 J. ORTIZ, knowingly possessed matter that contained any visual depiction—the
10 production of which involved the use of a minor engaging in sexually explicit conduct
11 and such visual depiction was of such conduct—that was mailed and shipped and
12 transported using any means and facility of interstate and foreign commerce and in and
13 affecting interstate and foreign commerce and that was produced using materials that had
14 been so mailed and shipped and transported by any means, including by computer, and
15 any visual depiction involved in the offense involved a prepubescent minor and a minor
16 who had not attained 12 years of age.

17 All in violation of Title 18, United State Code, Sections 2252(a)(4)(B) and
18 2252(b)(2).

19 And the Complainant states that this Complaint is based on the following
20 information:

21 I, Ly Tran, being first duly sworn on oath, depose and say:

22 **I. INTRODUCTION**

23 I am an investigative or law enforcement officer of the United States within the
24 meaning of Title 18, United States Code, Section 2510(7). I am currently employed as a
25 Special Agent with the U.S. Department of Homeland Security (DHS), Homeland
26 Security Investigations (HSI). I have been a federal law enforcement officer for over 16
27 years. Prior to my employment with HSI, I was a Parole Officer for the Washington State
28 Department of Corrections for approximately four years.

1 I have participated in investigations involving human trafficking, financial crimes,
2 cybercrimes, child exploitation, narcotics, and murder for hire. While assigned to the HSI
3 Attaché office in Vietnam, I conducted numerous investigations involving the sexual
4 exploitation of children and interstate / international travel for illegal sexual activity
5 involving minors. During the course of these investigations, I have reviewed child
6 exploitation materials.

7 I am currently assigned as a Special Agent with HSI Lakewood, where my duties
8 include child exploitation and child pornography investigations. I have participated in
9 numerous child exploitation or child pornography investigations and have worked
10 extensively with other investigators involved in these types of investigations.

11 As further detailed below, based on my investigation and the investigation of other
12 law enforcement officers, I believe there is probable cause to conclude that SCOTTI J.
13 ORTIZ knowingly distributed child pornography in violation of Title 18, United States
14 Code, Section 2252(a)(2) and 2252(b)(1), and possessed child pornography in violation
15 of Title 18, United States Code, Section 2252(a)(4)(B), and Title 18, United States Code,
16 Section 2252(b)(2).

17 The facts set forth in this complaint are based on my own personal knowledge;
18 knowledge obtained from other individuals during my participation in this investigation,
19 including other law enforcement officers; review of documents and records related to this
20 investigation; communications with others who have personal knowledge of the events
21 and circumstances described herein; and information gained through my training and
22 experience. Because this complaint is offered for the limited purpose of establishing
23 probable cause, I have not set forth every fact known to me based on this investigation.
24 Rather, I provided only those facts that I believe necessary to establish probable cause
25 that SCOTTI J. ORTIZ committed the offense charged in this complaint.

26 This complaint is being presented electronically pursuant to Local Criminal Rule
27 CrR 41(d)(3).

28 II. SUMMARY OF INVESTIGATION

1 In August 2021, HSI Cyber Crimes Center (C3) Child Exploitation Investigations
 2 Unit (CEIU) located in Fairfax, Virginia received an investigative referral from a foreign
 3 law enforcement agency (FLA). HSI C3 CEIU analyzed the investigative lead and
 4 disseminated to HSI Seattle. The investigative referral indicated that a subject with the
 5 Kik user named madhatter_unicorn, subsequently identified as SCOTTI J. ORTIZ was
 6 sending messages indicating that he had a sexual interest in female children under ten-
 7 years-old. In these messages, madhatter_unicorn stated that he was currently sexually
 8 active with his ten-year-old cousin who he has regular access to twice a week.

9 During these chat sessions, madhatter_unicorn sent several images to an
 10 undercover FLA officer. He told the undercover FLA officer that they were images of his
 11 cousin.

12 The chat between madhatter_unicorn and the FLA included the following:

13 madhatter_unicorn: Active in usa

14 FLA: hey m8 asl and who u active with. 36 m uk here naughty uncle

15 madhatter_unicorn: 37/m I'm active with my cousin (madhatter_unicorn attached
 16 an image of an adolescent female showing her nipple).

17 FLA: Nice little thing mate how old

18 madhatter_unicorn: 10

19 FLA: Perfect age

20 madhatter_unicorn: Yes how old is your daughter

21 FLA: Neice m8 and she's 8 we are in training atm

22 madhatter_unicorn: Yeah? Can I see a couple of pictures of her
 23 (madhatter_unicorn attached three images of an adolescent female, described further
 24 below).

25 FLA: I dnt trade mate Too risky

26 madhatter_unicorn: That's my baby girl

27 FLA: She's fucking gorgeous u fucked her

28 madhatter_unicorn: Not all the way yet Can I see your daughter Niece sorry

1 FLA: I dnt sen pic straight away gotta build trust imo I dnt like losing control How
2 far u gone Its tough training ain't it

3 madhatter_unicorn: Yeah the only thing I haven't done yet is put my cock in her

4 FLA: I've had my d in Rubys A makes me cum hard How often u get 2 play

5 madhatter_unicorn: Couple times a week what about you guys

6 FLA: I live with my sister as she has a booze problem I dnt normally take this
7 secret phone home tho

8 madhatter_unicorn: Oh yeah and what is on the secret phone

9 FLA: Just chats with locals trying to hook up

10 madhatter_unicorn: Oh I thought it was some big secret Lol

11 FLA: Hah ana my sis is a nosey cow and I wanna stay under her radar as it's a
12 risky game

13 madhatter_unicorn: Yeah is it your sister phone

14 FLA: No just a second phone 4 fun

15 madhatter_unicorn: Ok what is your niece doing now

16 FLA: She is at home having a play date i think I'm in the office. What about your
17 little cutey? Wot time is it there sleeping I bet

18 madhatter_unicorn: Yes she is

19 FLA: You east or west

20 madhatter_unicorn: West

21 FLA: Only ever been 2 Vegas

22 madhatter_unicorn: Yeah Your niece is 8?

23 FLA: Yeh lovely age I dnt like babies 6-13 is my sweet spot

24 madhatter_unicorn: My sweet spot is any thing under 10

25 FLA: Beautiful I love a tine slit you ever shared yours

26 madhatter_unicorn: Yes

27 FLA: That's why I's on here I wanna see her with another

28 madhatter_unicorn: Your niece?

1 FLA: Yeh obvs

2 madhatter_unicorn: Nice Can I see her

3 FLA: I only share when I think we might meet to verify sorry

4 madhatter_unicorn: Just a g rated pic

5 FLA: Hah ana I could send u a pic with her head cropped but what's the point lol

6 madhatter_unicorn: Ye considering I sent you the ones of my girl

7 FLA: Dude I didn't ask u 2 send me those. I'm looking for like minded local for a
8 bit play date and you can't help there lol

9 I reviewed the first image madhatter_unicorn sent to the FLA, "K1908200956."
10 This image depicts a prepubescent white female child, who appears to be under twelve
11 (12) years old. She has long blond hair, blue eye, and is wearing a striped red and white
12 blouse with a yellow and white collar. The image depicts the female child pulling down
13 her blouse to expose her left nipple.

14 I reviewed the next three attachments that KIK user madhatter_unicorn sent to the
15 FLA. Image "K1908201001" depicts a close-up photo of the genital area of a
16 prepubescent white female child, who is wearing pink/purple panties with unicorn pet
17 imprints. What appear to be adult fingertips are seen starting to enter her underwear from
18 the top. Image "K1908201003" also depicts a close-up photo of the naked genital area of
19 a prepubescent white female child, who is lying face up. Her face cannot be seen in the
20 image. The genital area is visible, and I observed no pubic hair. Based on lack of muscle
21 development and based on my training and experience, I believe the white female child
22 was under 12 years old. The final image, "K1908201004," depicts a prepubescent white
23 female child, who is naked from the waist up. She is wearing black and gold panties. Her
24 face cannot be seen in the image.

25 Copies of each of these images have been placed in an envelope, which will be
26 Exhibit 1 to this Affidavit. Exhibit 1 will be made available to the reviewing magistrate
27 judge, as necessary, but will not be filed with the Court and will instead be retained by
28 HSI to be made available if relevant to a future legal proceeding.

1 On February 9, 2021, pursuant to a search warrant issued by United States
2 Magistrate Judge J. Richard Creatura on February 2, 2021, I led the law enforcement
3 team during a search of SCOTTI J. ORTIZ's person and SCOTTI J. ORTIZ's Yelm
4 residence.

5 Law enforcement stopped SCOTTI J. ORTIZ in his vehicle on the side of the road
6 in front of his residence. HSI Special Agent (SA) Gabriel Stajduhar and I approached
7 SCOTTI J. ORTIZ's vehicle to speak to him. Unprompted, SCOTTI J. ORTIZ asked SA
8 Gabriel Stajduhar, "What is this about? Is this about child porn?" SA Gabriel Stajduhar
9 told SCOTTI J. ORTIZ to stop talking and that they could speak after he advised
10 SCOTTI J. ORTIZ of his Miranda rights.

11 During this time, SCOTTI J. ORTIZ continued to make several additional
12 unprompted statements including that he had a problem and that knew why law
13 enforcement was there. SCOTTI J. ORTIZ told law enforcement that he wanted to
14 cooperate. He waived his Miranda rights both verbally and by signing a Miranda right
15 form. He agreed to speak to the agents. Because the stop was on the side of a busy road,
16 agents transported SCOTTI J. ORTIZ to a prearranged location for an interview.

17 SCOTTI J. ORTIZ said that he started using methamphetamine again after he was
18 released from prison on June 30, 2020. He admitted that he viewed child sexual
19 exploitation materials (CSEM) when he used methamphetamine. He stated that he was
20 sick and needed help.

21 SCOTTI J. ORTIZ explained that he accessed CSEM through KIK messenger. He
22 used either email scottiortizsr83@gmail.com or ortizscotti37@gmail.com. Once he was
23 on KIK messenger, he found a chat room and started to view CSEM. He said that he used
24 a tablet to view and download CSEM. However, he claimed that he had reset the tablet to
25 the manufacture reset and gave the tablet to his father, Frank Ortiz. SCOTTI J. ORTIZ
26 said that he also had a laptop and two phones but said that there should not be any CSEM
27 on these devices. SCOTTI J. ORTIZ admitted to using the laptop to delete CSEM that
28

1 was located in his Mega account. Ortiz provided the agents consent to search all of his
2 electronic devices.

3 Upon entering SCOTTI J. ORTIZ's residence, I encounter Frank Ortiz and
4 Michelle Clark. Frank Ortiz and Michelle Clark fully cooperated with me. Michelle Clark
5 pointed out the area that SCOTTI J. ORTIZ sleeps at night and the electronic devices
6 belonging to SCOTTI J. ORTIZ. I seized a Black Acer laptop, serial #
7 NHQ5UAA0080450D8463400 located on SCOTTI J. ORTIZ's bed.

8 On January 10, 2021, Computer Forensic Agent (CFA) Jeffrey Schwab located a
9 512 GB M3 flash drive in the laptop previously seized from SCOTTI J. ORTIZ. CFA
10 Jeffrey Schwab used the Tableau TX1 write blocker to conduct a hash verified extraction
11 of the flash drive. The image and video files were exported into a project VIC file and
12 processed through Griffeye Analyze. CFA Gabriel Stajduhar created an Axiom portable
13 case for future review.

14 On February 19, 2021, I reviewed a video clip that extracted from SCOTTI J.
15 ORTIZ's laptop, using Griffeye Analyze software. According to the Griffeye Analyze
16 software, the video was 15 minutes and 8 seconds long and was created on February 8,
17 2021. The file was located in a download folder with the file name "snag-0094.ave."

18 The video contained three Asian female child victims (FCVs), mostly nude, with a
19 skin-colored rubber male penis. The FCVs do not have pubic/body hair. The FCVs are
20 small and do not have developed breasts. The FCVs' faces are youthful in appearance.
21 Based on my training and experience, they appear to be under the age of 12 years old.
22 The video shows one FCV rubbing the rubber penis on another FCV's vagina before
23 inserting it into the FCV's vagina. The video continued showing three FCVs spreading
24 their legs with the focus of the camera on their vaginas.

25 **III. CONCLUSION**

26 Based on the above facts, I respectfully submit that there is probable cause to
27 believe that SCOTTI J. ORTIZ did knowingly and unlawfully possess child pornography
28 in violation of Title 18, United States Code, Section 2252(a)(4)(B), and knowingly and

1 unlawfully distributed child pornography materials in violation of Title 18, United States
2 Code, Section 2252(a)(2).

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4 **LY C TRAN** Digitally signed by LY C
5 TRAN
6 Date: 2022.07.14 16:01:56
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9 Ly Tran, Complainant,
10 Special Agent,
11 Homeland Security Investigations
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14 Based on the Complaint and Affidavit presented by reliable electronic means and
15 sworn to me, the Court hereby finds that there is probable cause to believe the Defendant
16 committed the offenses set forth in the Complaint. I reviewed the photographs described
17 above. Dated July 15, 2022
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22 Theresa L. Fricke
23 United States Magistrate Judge
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